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TECHNOLOGY CENTER 2800

In re Application of:
BIEMEN, Leonard H.
Serial No.: 09/111,978
Filed: July 8, 1998
Attorney Docket No.: 5139.045USR

DECISION *SUA SPONTE*
WITHDRAWING HOLDING
OF ABANDONMENT

This is a decision, *sua sponte*, withdrawing the holding of abandonment of the above-identified application.

A premature Notice of Abandonment was mailed to the applicant October 10, 2006.

Although no petition or request to withdraw the holding of abandonment in this application has been filed, the Notice of Abandonment is hereby vacated, the holding of abandonment withdrawn and the application restored to affirmed by the Board after appeal. While the Board of Patent Appeals and Interferences upheld the examiner's final action, there were claims, not subject to the appeal, which were indicated as allowable (see the advisory dated 9/4/2001), thus the abandonment was incorrect.

The application has been forwarded to the examiner for appropriate action.

Any inquiry regarding this decision should be directed to Gregory J. Toatley, Jr., at (571) 272-2059.

Janice A. Falcone, Group Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components